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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/740,202	12/18/2003	Bernhard Winkler	706529US2	2213
24938	7590	02/03/2006	EXAMINER	
DAIMLERCHRYSLER INTELLECTUAL CAPITAL CORPORATION			BROWN, DREW J	
CIMS 483-02-19				
800 CHRYSLER DR EAST			ART UNIT	PAPER NUMBER
AUBURN HILLS, MI 48326-2757			3616	

DATE MAILED: 02/03/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/740,202	WINKLER ET AL.	
	Examiner	Art Unit	
	Drew J. Brown	3616	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
 - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
 - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 18 December 2003.
- 2a) This action is FINAL. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-20 is/are pending in the application.
 - 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) 15-20 is/are allowed.
- 6) Claim(s) 1 and 4-14 is/are rejected.
- 7) Claim(s) 2 and 3 is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 18 December 2003 is/are: a) accepted or b) objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ . |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ . | 6) <input type="checkbox"/> Other: _____ . |

DETAILED ACTION

Drawings

1. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the keyed portion of the shank portion must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1, 4, 5, and 8-14 are rejected under 35 U.S.C. 102(b) as being anticipated by Kleinschmit et al. (U.S. Pat. No. 6,027,129).

With respect to claim 1, Kleinschmit et al. discloses a cam sleeve having a first end (4) and a second end (5), a first cam plate (10 at bottom of Figure 1) fixedly attached to the cam sleeve at the first end, a second cam plate (10 at top of Figure 1) fixedly attached to the cam sleeve at the second end, a first cam washer (13) rotatable received by the first cam plate, a second cam washer (13) rotatable received by the second cam plate, and a bolt (7) having a bolt head (bottom of 7 in Figure 1) fixedly attached to the first cam washer, an elongate body extending between the first and second ends of the cam sleeve, and a shank portion fixed for rotation with the second cam washer. Rotation of the bolt causes the first and second cam washers to react against the first and second cam plates to position the bolt relative to the cam sleeve along a first axis generally perpendicular to a longitudinal axis of the bolt (column 3, lines 50-58).

With respect to claim 4, the first cam washer includes a first aperture formed eccentric from an axis of rotation of the first cam washer, where the first aperture is matingly received by the elongate body of the bolt and fixedly attached thereto (bottom of Figure 1).

With respect to claim 5, the second cam washer includes a second aperture formed eccentric from an axis of rotation of the second cam washer, where the second aperture is matingly received by the shank portion of the bolt (top of Figure 1).

With respect to claim 8, the first cam plate includes a first pair of reaction arms (16), where the first reaction arms engage an outer surface of the first cam washer to restrict lateral movement of the first cam washer while concurrently permitting rotation of the first cam washer relative to the first cam plate.

With respect to claim 9, the second cam plate includes a second pair of reaction arms (16), where the second reaction arms engage an outer surface of the second cam washer to restrict lateral movement of the second cam washer while concurrently permitting rotation of the second cam washer relative to the second cam plate.

With respect to claim 10, the shank portion of the bolt extends through the second cam plate generally away from the cam sleeve.

With respect to claim 11, the shank portion matingly receives a bushing (6), where the bushing is operable to matingly receive a toe link (3).

With respect to claim 12, the shank includes a plurality of threads, where the plurality of threads are operable to matingly receive a nut to retain the bushing and toe link on the apparatus (top of Figure 1).

With respect to claim 13, the toe link is adapted to be connected to a suspension system, where the toe link is adapted to be adjusted relative to the suspension system through movement of the bolt relative to the cam sleeve.

With respect to claim 14, the cam sleeve is adapted to be fixedly attached to the suspension system.

Specification

3. The specification is objected to as failing to provide proper antecedent basis for the claimed subject matter. See 37 CFR 1.75(d)(1) and MPEP § 608.01(o). Correction of the following is required: Although the disclosure refers to a toe link assembly, the detailed description does not mention any “toe link”, as is recited in claims 11-13 and 18-20.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 6 and 7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kleinschmit et al. in view of Hendriksen (U.S. Pat. No. 4,267,896).

Kleinschmit et al. discloses the claimed invention as discussed above but does not disclose that the shank portion includes a keyed portion or a flat, where the keyed portion or the flat is received by the second aperture such that the second cam washer is fixed for rotation with the bolt.

Hendriksen, however, does disclose that the shank portion includes a keyed portion or a flat (32d), where the keyed portion or the flat is received by the second aperture (44) such that the second cam washer (42) is fixed for rotation with the bolt.

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to have the shank portion include a keyed portion or a flat so an additional locking element is not needed to allow the washer to rotate along with the shank portion of the bolt. This reduces the cost of manufacturing and also makes the assembly more compact.

Allowable Subject Matter

6. Claims 2 and 3 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.
7. The following is a statement of reasons for the indication of allowable subject matter: The prior art fails to disclose a cam sleeve, first and second cam plates and cam washers, a bolt, and a plurality of projections formed on an inner wall of the cam sleeve to restrict movement of the bolt.
8. Claims 15-20 are allowed.

Conclusion

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Shiratori et al., Ziech, Reilly et al., Pirkey et al., Atwater et al., and Orimoto et al. disclose similar vehicle alignment adjustment devices.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Drew J. Brown whose telephone number is 571-272-1362. The examiner can normally be reached on Monday-Thursday from 8 a.m. to 4 p.m..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Paul N. Dickson can be reached on 571-272-6669. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Drew J. Brown
Examiner
Art Unit 3616

DJB
1/31/06



DAVID R. DUNN
PRIMARY EXAMINER